

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ROBERT E. LEVY, D.M.D., LLC;)
VANESSA N. KELLER D.M.D. & TRISHA)
M. YOUNG D.M.D., P.C.; RIVKA)
GOLDENHERSH D.M.D., LLC; and)
FARHAD MOSHIRI, AND MAZYAR)
MOSHIRI, D.M.D., M.S., P.C., dba Moshiri)
Orthodontics, on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

v.)

HARTFORD FINANCIAL SERVICES)
GROUP INC., DBA THE HARTFORD,)
HARTFORD CASUALTY INSURANCE)
COMPANY, SENTINEL INSURANCE)
COMPANY, LIMITED and TWIN CITY)
FIRE INSURANCE COMPANY)

Defendants.)

Case No.: 4:20-cv-00643-SRC

DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS

Pursuant to Federal Rule of Civil Procedure 12(c), Defendants Hartford Casualty Insurance Company ("Hartford Casualty"), Sentinel Insurance Company, Ltd. ("Sentinel"), and Twin City Fire Insurance Company ("Twin City") (collectively, "Defendants") respectfully move to dismiss the Amended Class Action Complaint ("FAC") filed by Plaintiffs Robert A. Levy, D.M.D., LLC; Vanessa N. Keller D.M.D. & Trisha M. Young D.M.D., P.C.; Rivka Goldenhersh D.M.D., LLC; and Farhad Moshiri and Mazyar Moshiri, D.M.D., M.S., P.C., dba Moshiri Orthodontics (collectively, "Plaintiffs"). Defendants are entitled to judgment on the pleadings because Plaintiffs' policies contain a virus exclusion. Defendants also are entitled to judgment on the pleadings because Plaintiffs cannot demonstrate any direct physical loss or

damage to property, which is required for all forms of coverage under the policies.

WHEREFORE, Defendants respectfully request that the Court grant this Motion, enter judgment in favor of Defendants on all claims and causes of action in the FAC, and otherwise dismiss the FAC in its entirety and with prejudice.

Dated: December 1, 2020

Respectfully submitted,

By: /s/ Patrick J. Kenny

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Attorneys for Hartford Casualty Insurance Company, Sentinel Insurance Company, Ltd., and Twin City Fire Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of December 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the following:

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/s/ Patrick J. Kenny
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